GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:855
ANSWERED ON:01.03.2016
Misuse of Data
Singh Shri Bhola

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government considers privacy a fundamental right under right to life and personal liberty and if so, the details thereof;

(b) whether the Government has statutory backing for collection of biometric information and if not, the steps taken by the Government in this regard;

(c) whether there are risks of theft, misuse of data, biometric and others data collected from citizens by the Government; and

(d) if so, the steps taken by the Government to protect information related to citizens of the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): The Hon'ble Supreme Court, in a bunch of cases, has referred the issue of privacy a fundamental right, to a Constitution Bench.

(b): The creation of Population Register (PR) and National Register of Indian Citizen (NRIC) in the country is a mandatory exercise, being undertaken as per provisions of the Citizenship Act, 1955 and as per
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Rule 3(4) of the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003. Rule 18 empowers the Registrar General of Citizen Registration to issue guidelines, in consultation with the Central Government, to the State Governments as are considered necessary for implementation of the exercise. Accordingly, subsequent to the approval of the government, for collection of 15 demographic fields of all the usual residents and capture of three biometrics [i.e., photograph, 10 finger prints and two IRIS] of all usual residents aged 5 years and above, the State/UT Governments have been issued necessary guidelines for the creation of Population Register / NRIC in the country.

(c) & (d): Several measures have been put in place to ensure that the data collected is stored in a secured facility and is not accessed in an unauthorized manner. Steps taken to protect information related to citizens in the country include encryption of data, transfer of data in an encrypted format to the data centre which is temper proof, putting standard security infrastructure such as firewalls, intrusion prevention system etc.
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